



# COUNTY OF LOS ANGELES

## Internal Services Department

1100 North Eastern Avenue  
Los Angeles, California 90063

TO ENRICH LIVES THROUGH EFFECTIVE AND CARING SERVICE



United We Stand

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Interim Director

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May 5, 2003

Mr. Peter Dubrawski  
Haight, Brown and Bonesteel  
6080 Center Drive, Ste 800  
Los Angeles, CA 90045-1574

Dear Mr. Dubrawski:

### **VEHICLE FLEET MAINTENANCE AND REPAIR SERVICES PROTEST LETTER**

I am in receipt of a letter from Mr. Alex Chaves dated May 1, 2003 regarding the Vehicle Fleet Maintenance and Repair Services contract solicitation. The letter requests I direct all further correspondence to your attention. It is not my intent to respond to everything stated in Mr. Chaves' letter as many of the issues are not relevant to the RFP. Hopefully, this response will help you in handling a protest on behalf of your client, Parking Company of America (PCA).

One of the prominent issues in Mr. Chaves' letter relates to an assertion that PCA did not have sufficient time to protest the proposed contract award and that they were not advised until April 14, 2003 that their "*references were inadequate*". Specific to this issue is PCA's claim that the Evaluation Committee should have accepted a March 2001 letter from the former Director of ISD as a reference letter.

It is important to note that PCA was notified of the requirements for submitting references as far back as December 26, 2002, when the Request for Proposals (RFP) was issued. To assist you, I have attached relevant pages of the RFP (Attachment I) where the issue of references are addressed specifically:

- Page 3, Section 1.4.3. sets forth a minimum experience requirement for the contract (e.g., five years of experience in fleet repairs, etc.).  
Page 25, Section 2.11.4. states instructions for providing the information to demonstrate that the firm meets the minimum experience requirement. This section indicates that "*County references may be submitted to meet this requirement.*" PCA's experience with the County was accepted in this regard.
- Page 26, "Proposer's References" requests at least five references and further states "*County references can NOT be submitted to meet this requirement.*"

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Basically, all vendors were allowed to submit County experience as evidence that they had performed fleet repairs in the magnitude required by the RFP. However, references as to their performance were to be non-County. Our objective in structuring the RFP proposal evaluation process related to performance references was to have a "level playing field" among all proposers and not provide an advantage or disadvantage to the incumbent or any firm that currently does business with the County (including Johnson Controls, Inc. who currently has a County contract) and not to disadvantage firms which do not currently have contracts with the County.

The RFP provisions were covered at the mandatory Proposer's Conference that your client attended on January 14 and 15, 2003. My staff did not receive any questions regarding the above sections of the RFP, or on references in general, at or any time after the conference.

At the conclusion of the evaluation process, your client was offered and accepted a debriefing by my staff. On April 14, 2003, Mr. Chaves and members of his firm, were debriefed regarding the proposal evaluation process and specific scoring of PCA's proposal. Attached is a summary of PCA's scores (Attachment II) that were verbally discussed with your client. The references that PCA provided were reviewed and your client was advised that the County reference was considered in confirming that PCA met the minimum experience requirement. My staff also explained that, consistent with the RFP instructions, the County reference provided by PCA in terms of performance, was not evaluated. Finally, it should be noted that even if PCA received maximum points in the reference component of the scoring, the proposal would still be ranked fourth overall out of the four submitted. One of the primary reasons for this is that PCA's bid was 23% higher than the recommended vendor.

On the morning of April 16, 2003, Mr. Chaves telephoned Ms. Mila Lebovich of my staff regarding the County's protest process and was advised to send a written protest, with appropriate supporting documentation, to my attention for further investigation. Instead PCA sent a letter to the Board of Supervisors later that day. On April 21, 2003, when I received a copy of that letter, I assumed that PCA desired for someone other than ISD to review its concerns. Accordingly, I responded to PCA informing them that they could send me a written protest, along with any supporting documentation and that I would convene a Protest Board, comprised of individuals outside of the Internal Services Department (ISD) to provide for an independent review of its issues. The offer to convene such a board comprised of managers and contract analysts from other County departments is still available.

Mr. Chaves' letter also gave a history of the current contract between PCA and the County. Much of what was written was untrue and it is not apparent as to what extent this history has to do with the current RFP, the proposal evaluation process and the new fleet services contract. However, there are assertions regarding impropriety that require clarification.

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The letter indicates *"In 2000, in order to accommodate ISD, and with the clear understanding that PCA would retain the contract, a concession was made to revise the agreement to provide for termination on July 31, 2003...Further PCA has been repeatedly assured by those in authority at ISD that PCA would be allowed to continue to provide services for the foreseeable future; specifically the next contract period, and beyond."* This allegation by PCA is patently untrue.

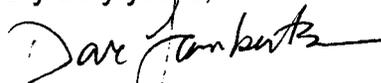
In May 2000, at the Board's direction, the existing contract was amended to establish a fixed contract termination date of July 31, 2003, incorporate the County's Living Wage Ordinance provisions, revise shop operating hours and require the contractor to revise the preventive maintenance schedule. When PCA signed the contract amendment, approved by the Board on May 30, 2000, it was clear that the term of the contract expired July 31, 2003. No verbal, written or implied agreement was made between ISD and PCA stating PCA would retain the contract through additional extensions or via a new contract. ISD has no authority to extend the contract past its expiration date. Further, your client was advised on October 8, November 21, and November 26, 2002 that there were no optional renewal years in the contract and that an RFP was going to be released.

Additionally, Mr. Chaves requested a number of records related to a Sheriff's Department contract. ISD does not maintain these records and has referred your client's request to Ms. Judie Thomas, Assistant Director, Fiscal Administration, Sheriff's Department. She can be reached at (323) 526-5251.

We are planning to file the letter submitting the fleet maintenance and repair services contract to the Board of Supervisors on May 8, 2003 for their approval on May 20, 2003. As is the case in all contracts on the Board Agenda for approval, public comment can be made at that time.

If you have any questions, please feel free to contact me, or Daphne Bell, General Manager, Purchasing and Contract Service at (323) 267-2109.

Very truly yours,



Dave Lambertson  
Interim Director  
Internal Services Department

DL:sg

Attachments

c: Each Supervisor  
A. Chaves

### **1.3 Terms And Definitions**

Throughout this RFP, references are made to certain persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in *Appendix A, Sample Contract, Paragraph 2. Definitions.*

### **1.4 Minimum Mandatory Requirements**

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in the *Statement of Work, Appendix B*, of this RFP are invited to submit proposal(s), provided they meet the following minimum requirements:

1. Proposer must have a current Automotive Repair Dealer (ARD) License from the California Bureau of Automotive Repair.
2. Proposer must propose provision for fleet maintenance and repair facilities in all seven (7) geographic areas within Los Angeles County.
3. Proposer must be currently providing vehicle fleet maintenance and repair services and must have been providing these services for at least five (5) of the last seven (7) years, for an individual vehicle fleet of at least 2,000 vehicles, comprised of passenger cars, Class 1-8 trucks, trailers, off-road equipment, and construction equipment.
4. Proposer must have at least five (5) years current experience as an operator of fleet vehicle maintenance and repair services with annual revenues of at least \$2 million.
5. Proposer must propose a Project Manager with a minimum of five (5) years current experience handling an individual vehicle fleet of 2,000 vehicles or greater.
6. Proposer must agree to use the County's Automated Fleet Management Information System (AFMIS).
7. Proposer must comply with the RFP format and requirements set forth in the Proposal Submission Requirements, Section 2.0, of this RFP when submitting its proposal.
8. Proposer must respond positively to a willingness to hire GAIN/GROW participants. (Reference Sub-paragraph 1.27 in this Section)
9. Proposer must comply with the County's Child Support Compliance Program. (Reference Sub-paragraph 1.23 in this Section)

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**2.11.1 Transmittal Letter**

The transmittal letter must be a maximum of one (1) page, transmitting the Proposal on the Proposer's stationery. The transmittal letter must include the Proposing firm's complete legal name, primary business address, and the name, telephone, e-mail and facsimile numbers of the person or persons to be used for contact and who will be authorized to represent the Proposer. **The transmittal letter must bear the signature of the person authorized to sign on behalf of the Proposer and to bind the applicant in a Contract.** The letter shall indicate whether or not the Proposer intends to perform the Contract as a single Proposer. The letter must contain a statement that the Proposer will bear sole and complete responsibility for all work as defined in *Appendix B, Statement of Work*.

**2.11.2 Table of Contents**

The Table of Contents must be a comprehensive listing of material included in the Proposal. This section must include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

**2.11.3 Executive Summary (Section A)**

**Section A**, the Executive Summary, shall condense and highlight the contents of the Proposer's Business Proposal to provide *ISD* with a broad understanding of the Proposer's approach, qualifications, experience, and staffing. Indicate which *ISD* locations will be used.

**2.11.4 Proposer's Qualifications (Section B)**

**Section B** must demonstrate that the Proposer's organization has the experience and financial capability to perform the required services. The following sections must be included:

**Proposer's Background and Experience (Section B.1)**

Provide appropriate documentation of the business entity submitting the proposal (e.g. Articles of Incorporation, partnership agreement etc). If a corporation or a partnership is comprised of entities, rather than individuals, include documentation to support the authority of the person indicated in the cover letter to bind the firm to a contract.

Proposer must provide relevant background information to demonstrate that they meet the minimum requirements stated in Sub-paragraph 1.4. Provide at least one reference that can validate that the firm meets the minimum experience requirements. Reference information should include firm name;

contact name, title and telephone number; length of time services provided; scope of services; and size and type of fleet maintained. County references may be submitted to meet this requirement.

Identify by name, case and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer and potential impact on Proposer's current or future operations.

**Personnel Qualifications (Section B.1.2)**

Proposer must provide an organization chart of Proposer's firm. Submit a complete list of supervisory/management personnel employed by the firm who would be assigned to this County contract. Contractor will be required to provide a Project Manager who will be available during service hours. Identify the proposed Project Manager and an alternate. Include a resume for the Project Manager and alternate that clearly details work experience in a manner that demonstrates that the proposed staff meets the Minimum Mandatory Requirements outlined at paragraph 1.4. Include resumes for all proposed Shop Supervisors, indicate where such staff will be located during the term of the resultant contract. Include a list of staff and all the appropriate certification and licenses that they possess.

**Proposer's References (Section B.2)**

The Proposer must complete and submit *Exhibits 13 and 14 of Appendix C – Required Forms*.

a. *Prospective Contractor References, Exhibit 13*

Proposer must provide a minimum five (5) references where the same or similar scopes of services were provided. It is solely the Proposer's responsibility to ensure the accuracy of submitted information, including the name, title and telephone number for the individuals designated as the point of contact, for all prospective Contractor references. County references can NOT be submitted to meet this requirement. References will be considered in the Proposal evaluation process discussed in Section 3 of this RFP.

b. *Prospective Contractor List of Contracts, Exhibit 14*

The listing must include all County contracts for the last three (3) years. Use additional sheets if necessary.

**3.3 Financial Capability (Pass/Fail)**

An independent review of proposers financial capability based on the financial statements submitted in Section B.3 and at County's option, information obtained from Dunn & Bradstreet.

**3.4 Business Proposal Evaluation and Criteria**

All proposals will be evaluated based on the criteria listed below. All proposals will receive a composite score and be ranked in numerical sequence from high to low. The Evaluation Committee may also, at its option, invite Proposers being evaluated to make a verbal presentation to the Evaluation Committee or conduct site visits if appropriate.

**3.4.1 Proposer's Qualifications (20%)**

**Proposer's Background and Experience**

Evaluation of the Proposer's experience and capacity as a corporation or other entity to perform the required services based on information provided in Section B.1 of your proposal.

**Performance History Analysis**

Proposer will be evaluated on the verification of a random sampling of references provided in Section B.2. Reference verifications will be conducted via telephone and/or e-mail during the period of approximately the week beginning February 10, 2003 through the week ending February 21, 2003. This timeframe and reference contact availability should be considered when identifying references for inclusion in Section B.2 of your proposal. In addition, the evaluation will include a review of the County's Contract Database reflecting past performance history on County contracts, a review of terminated contracts and a review to determine the magnitude of any pending litigation or judgments against the Proposer.

**3.4.2 Proposer's Approach to Providing Required Services (40%)**

The Proposer will be evaluated on the infrastructure and resources it has available to support service delivery in accordance with the requirements; its overall ability to meet the County's business requirements in the areas of fleet maintenance, motor pool management, fuel site management, executive vehicle services,

## VEHICLE FLEET MAINTENANCE AND REPAIR SERVICES - RFP #103192ML

## PROPOSAL EVALUATION SCORES

	PCA
<b>1. PROPOSER'S QUALIFICATIONS (20% - 10000 POINTS MAX)</b>	
Proposer's Background and Experience: Scope, relevance and suitability of the Proposer's prior experience and performance in providing similar type and volume of parking services. <b>(2750 Points)</b>	1810
Appropriateness and suitability of the qualifications and prior experience of Proposer's personnel, including Contract Manager, to provide the required services. <b>(2750 Points)</b>	1675
Proposer's Performance History: Evaluation of Proposer's references <b>(4500 Points)</b>	1875
County Performance History (if any) <b>(0 to -500)</b>	0
<b>SUBTOTAL PROPOSER'S QUALIFICATIONS</b>	<b>5360</b>
<b>2. PROPOSER'S APPROACH TO PROVIDING REQUIRED SERVICES (40% - 20000 POINTS MAX)</b>	
Appropriateness and thoroughness of the Proposer's understanding of the scope and complexity of the required services and responsiveness to the RFP requirements. Clearly indicates which facilities will be utilized (County or Contractor provided) and appropriateness of each proposed facility. Provides detailed and appropriate information on the usage of each proposed facility (contractor and County owned). Including staff resources and type of services to be provided for County facilities. Includes address, owned/leased, floor plan and size, types of services, and equipment to be provided and staff resources for Contractor provided facilities. Provides a comfort level of understanding of infrastructure and approach that meets or exceeds County's requirements. Presents an integrated approach of services and methodology that meets or exceeds County's requirements. <b>(6000 Points)</b>	1721
Appropriately addresses all aspects of contractor's responsibilities including meeting Operational Requirements, Warranty/Comebacks/Manufactures Recall, Transition Plan, Parts Inventory, Contingency plan and IIPP. <b>(3500 Points)</b>	2205
Appropriately addresses all aspects of contractor's responsibilities related to Executive Fleet Operations, Motor Pool Operations, Fuel Site Operations and Services, including, Mobile, Towing, Quick Fix Repairs, Car Washes and Preventative Maintenance. <b>(3500 Points)</b>	2340
Suitability and appropriateness of proposer's Administrative Requirements including: <b>(2000 Points)</b> <ul style="list-style-type: none"> <li>• Sublet/Subcontractor Services</li> <li>• Complaint Policy and Procedures</li> <li>• Meetings with County</li> <li>• Notification Process</li> </ul>	1280
Appropriateness and suitability of proposer's staff resources, employee recruitment, training, and certification programs. <b>(2000 Points)</b>	1225
Suitability and appropriateness of Proposer's quality control plan to insure the requirements of the contract are provided as specified. <b>(3000 Points)</b>	1990
<b>SUBTOTAL PROPOSERS APPROACH TO PROVIDING REQUIRED SERVICES</b>	<b>10761</b>
<b>BUSINESS PROPOSAL TOTAL</b> <b>(PROPOSERS QUALIFICATIONS AND APPROACH - 60% - 30,000 points)</b>	<b>16121</b>
<b>3. COST</b> Maximum possible points will be awarded to proposal with the lowest overall proposed price (40% - 20000 points).	14540
<b>GRAND TOTAL (50,000 points max.)</b>	<b>30661</b>